

**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
ATTORNEY GENERAL REFERRALS  
May 1, 2007**

<b>Name, Location and Region Number</b>	<b>Program</b>	<b>Alleged Violation</b>	<b>DNR Action</b>	<b>New or Updated Status</b>	<b>Date</b>
Aldag, Travis Ida Co. (3)	Animal Feeding Operation	Failure to Submit Plan	Order/Penalty	Referred Petition Filed Answer Filed	7/18/05 11/29/05 12/01/05
Bridges Bay Resort, LLC Spirit Lake (3)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred	9/19/06
Bulk Petroleum Corporation 28 Sites (1) (6)	Underground Tank	Operation and Maintenance Violations	Referred to Attorney General	Referred Petition Filed	6/19/06 2/01/07
Cargill, Inc.; Mort's, Inc. Iowa Falls (2)	Solid Waste Wastewater	Illegal Disposal; Prohibited Discharge	Referred to Attorney General	Referred	11/14/06
Clinton, City of (6)	Wastewater	Compliance Schedule; Discharge Limits	Referred to Attorney General	Referred	9/19/05
Cohrs, Bernard; Cohrs Construction Dickinson Co. (3)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to Attorney General	Referred	11/14/06
Country Stores of Carroll, Ltd.; LeMars Country Store, LeMars (3)	Underground Tanks	Leak Detection; Record Keeping	Referred to Attorney General	Referred	3/06/07
Des Moines, City of; Metropolitan WW Reclamation Authority (5)	Wastewater	Compliance Schedule	Referred to Attorney General	Referred	8/15/06
De Vos, Harold and Sharon Rock Rapids (3)	Air Quality Solid Waste Wastewater	Open Burning; Illegal Disposal; Operation Without Permit	Order	Referred Petition Filed	9/19/06 1/23/07
Environmental Recycling Co., Inc. Dwight Oglesbee Masena (4)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to Attorney General	Referred	12/05/06
Feinberg Metals Recycling Corp., Ft. Madison (6)	Solid Waste Wastewater	Operation Without Permit; Illegal Disposal; Stormwater – Operation Without Permit	Referred to Attorney General	Referred	3/06/07
Garrett Corporation; Delta Industries Waterloo (2)	Air Quality	Construction Without Permit; Construction Contrary to Permit	Referred to Attorney General	Referred	1/02/07
General Motor Corporation Sioux City (3)	Hazardous Condition	Remedial Action	Order	Referred	9/19/06

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Golden Oval Eggs LLC Thompson (2) <b>UPDATED</b>	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Petition Filed	12/05/06 3/29/07
Heisdorffer, Leland Keokuk Co. (6)	Air Quality Solid Waste	DNR Defendant	Defense	Petition Filed (No original notice served) IDNR's Motion to Dismiss/Strike Hearing Date Ruling on Motion (Dismissed all damage claims against the State) Trial Date	10/06/05 8/07/06 9/01/06 9/11/06 5/11/07
Kruse Dairy Farm, Inc. Dyersville (1)	Animal Feeding Operation	Failure to Submit Plan	Order/Penalty	Referred	12/19/05
Landfill of Des Moines #4 Des Moines (5)	Solid Waste	Operation Permit Violations – Other	Referred to Attorney General	Referred Petition Filed	4/17/06 1/23/07
Leigh, Marsha Glenwood (4)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred Petition Filed Defendant's Motion to Dismiss State's Resistance/Motion to Dismiss Motion to Intervene Hearing on Motion to Dismiss Ruling Denying Motion to Dismiss Resistance to Motion to Intervene Hearing on Motion to Intervene Ruling Denying Motion to Intervene Hearing on Defense Motions Motion for Judgment on Default Order Granting Default Judgment (\$100,000/Civil; \$10,000/Admin. & Injunction)	9/20/04 3/29/05 4/20/05 5/02/05 5/12/05 5/23/05 5/23/05 5/23/05 6/27/05 6/29/05 12/05/05 9/12/05 12/7/05
Miller, Albert Kalona (6)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to Attorney General	Referred Petition Filed	9/19/06 1/23/07
Miller Products Company Osceola (5)	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	12/05/06
Miller, Robert Batavia (6)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to Attorney General	Referred Petition Filed	8/15/06 1/23/07
Mobile World LC Camanche (6)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Order/Penalty	Referred Petition Filed Bankruptcy Petition Filed Plan for Reorganization Appearance by State in Bankruptcy Notice of Intent to Seek Default Appearance by Defendant Trial Date	8/16/04 4/08/05 4/13/05 4/13/05 6/17/05 3/03/06 3/08/06 11/19/06
Moellers, Kenneth	Animal	Prohibited Discharge –	Referred to AG	Referred	2/20/06

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Cresco (1)	Feeding Operation	Open Feedlot; Failure to Report a Release; WQ Violations – General Criteria		Petition Filed	12/11/06
Organic Technologies; Tim Danley; Ken Renfrow; Mike Danley Warren Co. (5)	Solid Waste	Permit Violations	Referred to Attorney General	Referred Petition Filed Application for Temporary Injunction Temporary Injunction Trial Date Partial Judgment (Clean-up Order) Contempt Application Contempt Hearing Date Contempt Finding and Civil Penalty (\$100,000 and 30 Days in Jail – Suspended until 7/8/03) Hearing Regarding Contempt Order Regarding Bond/Cleanup Deadline Bond Posted State Objections to Bond Ruling Denying Objections to Bond Status Hearing Date Hearing on Motion to Extend Cleanup Deadline Order Reinstating \$100,000 Civil Penalty Site Clean-up Completed	12/15/97 10/02/98 2/04/99 4/19/99 9/13/00 9/28/00 12/12/02 2/20/03 2/20/03 7/09/03 8/01/03 8/01/03 8/20/03 9/18/03 4/16/04 12/10/04 1/05/05 8/15/06
Pedersen, Dean Laurens (3)	Animal Feeding Operation	Failure to Update Plan	Referred to Attorney General	Referred Petition Filed	4/17/06 12/11/06
Pellett Chemical Co., Inc. Wiota (4) <b>UPDATED</b>	Underground Tank	Failure to Submit Tier 2 Site Assessment	Referred to Attorney General	Referred Petition Filed	6/19/06 3/29/07
Plymouth Dairy Farms Plymouth Co. (3)	Animal Feeding Operation	Prohibited Discharge – Confinement; Record Keeping; Application in Excess of Crop Usage Rate; Freeboard	Referred to Attorney General	Referred Petition Filed	9/19/05 1/10/06
River Bluff Resort, LLC; C.J. Moyna & Sons, Inc.; P.A. McGuire Construction McGregor (1) <b>NEW</b>	Wastewater	Stormwater – Pollution Prevention Plan Violations; Water Quality Violations – General Criteria	Referred to Attorney General	Referred	4/03/07

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Name, Location and Region Number		Program	Alleged Violation	DNR Action	New or Updated Status	Date
Roquette America Keokuk (6)	UPDATED	Air Quality	DNR Defendant	Defense	Petition Filed DNR's Answer DNR's Resistance to Temporary Injunction Hearing on Temporary Injunction DNR's Brief in Resistance Roquette's Brief Ruling on Temporary Injunction Trial Scheduling Conference Trial Date Motion for Continuance Order Granting Continuance Trial Date Trial Roquette's Request to Reopen Evidence IDNR Resistance to Reopening Evidence Roquette's Reply to Resistance IDNR Motion/Supp. Resistance Order Denying Roquette's Request to Reopen Evidence Partial Consent Order	8/28/03 9/11/03  9/11/03 9/11/03 9/29/03 9/30/03 1/14/04 1/06/05 10/24/05 6/29/05 6/29/05 4/24/06 4/24-28/06 5/25/06  6/02/06 6/19/06 6/21/06 7/05/06 4/09/07
Roquette America, Inc. Keokuk (6)		Air Quality	Construction Without Permit	Referred to Attorney General	Referred	9/19/06
Rose Bowl, The Mason City (2)		Drinking Water	Monitoring/Reporting – Bacteria, Nitrate; Public Notice	Referred to Attorney General	Referred Petition Filed	7/17/06 1/22/07
Schoenberr, R. B. d/b/a Long Branch Tavern Monmouth (1)		Drinking Water	Permit Renewal	Orders/Penalties	Referred Court Order Re-Referred Petition Filed Application for Contempt Contempt Hearing Order for Contempt (\$3,000 fine) Arrest Warrant Issued Contempt/Temporary Injunction Hearing Temporary Injunction Granted Contempt Hearing Date Contempt Hearing Order Finding Defendant in Contempt \$3,000 Fine Amended Petition	6/20/97 12/09/98 11/21/02 3/11/05 3/11/05 4/01/05 8/05/05 4/01/05 5/03/05  5/03/05 7/06/05 8/05/05 8/05/05 1/31/06
Sharkey, Dennis Dubuque Co. (1)	NEW	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to Attorney General	Referred	4/03/07

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Simpson, Barry Worth Co.	Animal Feeding Operation	DNR Defendant	Defense	Petition Filed Answer Filed	10/18/04 11/04/04
SNF, Inc. dba Brand FX Body Company Pocahontas (3)	Air Quality	Operational Violations	Referred to Attorney General	Referred	9/19/06
Stone v. Rembrand Enterprises, Inc. <b>UPDATED</b>	Animal Feeding Operation	DNR Defendant	Defense	Petition Filed State Motion to Dismiss Hearing Ruling Dismissing Damage Claims State's Motion for Summary Judgment Order Granting Continuance Hearing on Summary Judgment State's Supp. Reply to Plaintiff's Resistance to Motion for Summary Judgment Ruling Denying Motion for Summary Judgment Application for Interlocutory Appeal Memorandum in Support of Interlocutory Appeal Application Denied Motion for Separate Trial Hearing on Motion for Separate Trial Order Granting Separate Trial Trial Brief Reply Brief Trial Date	12/06/04 1/10/05 3/07/05 5/17/05 2/27/06 3/20/06 5/01/06 6/19/06  10/04/06  11/03/06 11/03/06  1/08/07 1/22/07 3/05/07 3/14/07 4/06/07 4/13/07 4/16/07
Sweitzer, Chad and Lona; Winter Mobile Home Park New Hampton (1)	Drinking Water	Operation Without Permit; Monitoring/Reporting – Bacteria; MCL – Bacteria	Referred to Attorney General	Referred	11/14/06
Yentes, Clifford Council Bluffs (4) <b>NEW</b>	Solid Waste	Illegal Disposal	Referred to Attorney General	Referred	4/03/07

IOWA DEPARTMENT OF NATURAL RESOURCES  
COMPLIANCE AND ENFORCEMENT BUREAU

**DATE:** May 1, 2007

**TO:** Environmental Protection Commission

**FROM:** Ed Tormey

**SUBJECT:** Summary of Administrative Penalties

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Robert and Sally Shelley (Guthrie Center)	SW	1,000	3-04-91
Verna and Don Reed; Andrea Silsby (Union Co.)	SW	1,000	4-07-94
Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.)	SW	6,000	1-20-96
Daryl & Karen Hollingsworth d/b/a Medora Store (Indianola)	UT	8,542	3-15-96
Robert Jeff White (Dallas Co.)	AQ/SW	10,000	7-14-97
Greg Morton; Brenda Hornyak (Decatur Co.)	SW/AQ/WW	3,000	11-04-98
Ray Stamper; Bryan Zenor (Polk Co.)	SW	2,000	12-12-98
Otter Creek Station (Dubuque Co.)	WS	325	3-04-99
Lindahl & Sons Salvage (Boone)	AQ/SW	10,000	11-29-00
R & R Ranch (Osceola)	WW	10,000	8-30-00
Alice Hillhouse; Hillhouse Real Estate Corp. (Denison)	UT	3,000	2-28-01
Teckenburg, Inc.; Jerry Teckenburg (Cedar Rapids)	UT	6,380	7-06-01
Keith Craig; The Farm (Council Bluffs)	UT	3,890	8-08-01
James Harter (Fairfield)	WW	1,780	8-01-01
Wisconsin North dba National Petroleum, Inc. (Clinton)	UT	5,000	8-04-01
# Troy DeGroote; Casey DeGroote (Butler Co.)	AFO/AQ/SW	242	3-08-02
Charlotte Caves (Oskaloosa)	HC	10,000	4-03-02
# Practical Pig Corporation (Clinton Co.)	AFO	2,000	5-26-02
Mobile World, L.C. (Camanche)	WW	2,000	5-27-02
M-F Real Estate; Fred "Butch" Levell (Carter Lake)	HC	1,701	8-18-02
Midway Oil Co.; David Requet (Davenport)	UT	5,355	9-20-02
Dale Schaffer (Union Co.)	AQ/SW	10,000	11-05-02
U.S. Petro, Inc.; SSJG Petroleum; Sukhdev Singh	UT	32,690	2-28-03
Midway Oil Co.; David Requet; John Bliss	UT	44,900	2-28-03
Midway Oil Company (West Branch)	UT	7,300	5-03-03
Midway Oil Company (Davenport)	UT	5,790	5-03-03
Efren Valdez (Warren Co.)	SW	2,782	6-09-03
Albert Miller (Kalona)	AQ/SW	10,000	9-26-03
* Jerry Feilen and Rick Bain (Pottawattamie Co.)	AQ/SW	1,663	12-15-03
Robert L. Nelson (Orient)	UT	637	12-26-03
Mark Anderson (Des Moines Co.)	AQ/SW	6,188	3-22-04

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

Mike Phillips aka Jeff Phillips (Cambridge)	AQ	5,000	3-27-04
Mike Messerschmidt (Martinsburg)	AQ/SW	500	4-13-04
Interchange Service Co., Inc., et.al. (Onawa)	WW	6,000	5-07-04
Emer Carlson (Fairfield)	AQ	6,500	6-01-04
#*Floyd Kroeze (Butler Co.)	AFO	1,500	6-01-04
Iowa Falls Evangelical Free Church (Iowa Falls)	WS	750	6-13-04
Mitchell Town Pump (Mitchell)	WS	2,080	6-16-04
# Dunphy Poultry (Union Co.)	AFO	1,500	6-27-04
Shane Preder (Ft. Madison)	AQ	477	7-12-04
James L. Heal d/b/a A-1 Domestic (Homestead)	SW/WW	1,800	7-16-04
Ranch Supper Club (Swisher)	WS	300	8-02-04
#*James Boller (Kalona)	AFO	3,634	8-19-04
# Cash Brewer (Cherokee Co.)	AFO/SW	10,000	8-25-04
Spillway Supper Club (Harpers Ferry)	WS	1,500	9-06-04
David Niklasen (Shelby Co.)	SW	100	9-11-04
# Doorenbos Poultry; Scott Doorenbos (Sioux Co.)	AFO	1,500	10-09-04
T & T Corner Bar (McIntire)	WS	3,000	10-26-04
Rock N Row Adventures (Eldora)	WS	3,000	10-23-04
# Jason Fox (Audubon Co.)	AFO	1,000	11-27-04
# Norm Cleveringa (Lyon Co.)	AFO	750	11-27-04
Americana Bowl (Ft. Madison)	WS	100	11-28-04
Howard Traver, Jr. (Cass Co.)	SW	3,000	12-14-04
Valley Country Café; NOO Investment Co. (Cass Co.)	WS	5,000	2-18-05
Denzel Edwards (Cass Co.)	AQ/SW/HC	500	3-01-05
* Fran Oil Company (Council Bluffs)(3 Admin. Orders)	UT	4,300	4-09-05
Virgil Ehlers; Ehlers Oil Co. (Soldier)	UT	8,040	4-23-05
* Reginald Parcel (Henry Co.)	AQ/SW	260	4-23-05
Harold Linnaberry (Clinton Co.)	SW	1,000	5-18-05
* Country Stores of Carroll, Ltd. (Carroll)	UT	1,408	6-06-05
Mehmert Tiling, Inc. (Cresco)	UT	8,849	6-10-05
Elery Fry; Allen Fry; Mel Fry; Ron Fry (Moravia)	SW	10,000	6-20-05
Fedler and Company; Tony Fedler (Mt. Pleasant)	HC	3,670	6-25-05
# Matt Hoffman (Plymouth Co.)	AFO	750	8-08-05
S.K. Food & Gas, Inc.; Diwan LLC (Davenport)	UT	8,500	12-29-05
Vernon Kinsinger (Washington Co)	SW	3,930	12-31-05
# Joel McNeil (Kossuth Co.)	AFO	2,500	1 21-06
Carl Cliburn (Wapello Co.)	AQ/SW	3,474	2-03-06
TOMA Properties, LLC (Washington)	WS	1,000	2-17-06
Affordable Asbestos Removal, Inc. (Monticello)	AQ	7,000	4-28-06
Jeff Albrecht (Humboldt Co.)	AQ	500	5-06-06
CRM Enterprises; Envirobest, Inc. (Iowa City)	AQ	7,000	5-21-06
James L. Heal; A-1 Imports (Homestead)	WW/SW	10,000	6-18-06
#*Tony Mertens (Mt. Pleasant)	AFO	2,644	7-20-06
#*Dale Schumann (Buena Vista Co.)	AFO	2,000	8-01-06
Michael Drea (Woodbury Co.)	AQ	6,000	8-13-06

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#*Dennis Kuehl (Cass Co.)	AFO	1,500	10-15-06
# <b>Troy VanBeek (Lyon Co.)</b>	<b>AFO</b>	<b>3,500</b>	<b>10-16-06</b>
Rueter & Zenor Co.; Rueters Red Power (Carroll) SEP	AQ/SW	400	11-06-06
# Randy Rudolph (Audubon Co.)	AFO	3,500	11-06-06
<b>Larry Bergen (Worth Co.)</b>	AQ/SW	2,000	11-01-06
* Fred Miller; Earthworks Contracting (Quimby)	AQ	8,020	12-15-06
* Country Terrace Mobile Home Park (Ames)	WW	810	4-01-07
* Waddell's Metal Recycling (Blue Grass)	AQ	1,250	4-01-07
* Wayne Staab (Plymouth Co.)	AQ	250	1-01-07
#*Galen Drent (Boyden)	AFO	1,510	2-01-07
#*Randy Gergen; R & D Farms (Sioux Co.)	AFO	1,500	2-15-07
* Curt Kline; Connie Kline (Dunlap)	AQ	1,000	3-01-07
Council Bluffs Community School District	AQ	3,500	3-08-07
# J & V Van Gorp, Inc. (Jasper Co.)	AFO	3,000	3-14-07
# J & V Van Gorp, Inc. (Jasper Co.)	AFO	3,000	3-23-07
#*Charles F. Deering, Jr. (Postville)	AFO	3,750	3-30-07
#*Richard Beelner; Beelner 1 and 2 (Plymouth Co.)	AFO	600	4-01-07
Mobile World, LC; R. Victor Hanks (Clinton Co.)	WW	22,500	4-01-07
# Southern Waste Handling, Inc. (Mr. Ayr)	AFO	5,000	4-13-07
#*Harvey Driesen (Sioux Co.)	AFO	1,500	4-15-07
Craig Burns (Postville)	WW	4,000	4-15-07
Edward Branstad; Monroe "Monty" Branstad (Forest City)	AQ	4,500	4-16-07
# Todd Kay (Buena Vista Co.)	AFO	3,000	4-16-07
#*John Kauffman (Iowa City)	AFO	4,160	4-20-07
* John Danker (Lee Co.)	AQ/SW	3,052	4-22-07
# Claussen Family Farm, LLC (Scott Co.)	AFO	4,000	4-26-07
#*Paul Rehder (O'Brien Co.)	AFO	750	5-01-07
* Crestview Mobile Home Park (Ames)	WW	1,250	5-01-07
# Garrelts Livestock Feeders (Palo Alto Co.)	AFO	3,000	5-02-07
#*Michael and Karen Schieltz (Dubuque Co.)	AFO	3,274	5-07-07
<b>* Midway Water &amp; Lighting Co., Inc. (Marion)</b>	WS	1,300	5-20-07
#*E & N Farms, Ltd. (Lyon Co.)	AFO	800	5-15-07
#*Charles Wauters (Keystone)	AFO/SW	3,500	12-01-07
#*Joe Tomka (Carroll Co.)	AFO	3,500	12-01-07
Green Valley Mobile Home Park (Mt. Pleasant)	WW	5,000	-----
<b>TOTAL</b>		<b>480,657</b>	

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
Gerald and Judith Vens (Scott Co.)	FP	5,000
# Iowa Select Farms, L.P.; AG Waste Consultants (Hamilton Co.)	AFO	3,000
# Dan Witt (Clinton Co.)	AFO	3,000
Dallas County Care Facility (Adel)	WW	5,000
# Doug Wedemeyer (Adair Co.)	AFO	2,500
Mt. Pleasant, City of	WW	500
# Kenneth Dahlhauser (Whittemore)	AFO	2,500
Chelsea, City of	WW	3,000
# Doug Osweiler (South English)	AFO	5,000
# Ray Slach (Cedar Co.)	AFO	3,000

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# Natural Pork Production, II LLC (Shelby Co.)	AFO	5,000
Country Living MHP (Altoona)	WW	5,000
Strawberry Point, City of	WW	10,000
B & H Food & Gas, Inc. (Davenport)	UT	10,000
U.S. Nation Mart, Inc. (Davenport)	UT	10,000
Tegh, Inc. (Bettendorf)	UT	8,500
# Jeff Holland (Winnebago Co.)	AFO	5,500
# Bob Kerrigan (Union Co.)	AFO	750
Carpenter Bar & Grill (Carpenter)	WS	10,000
# Swine USA; Davis Finishing Site (Clarke Co.)	AFO	750
# Gettler Dairy (Guthrie Co.)	AFO	5,000
Iowa Ethanol, LLC; Reilly Construction Co. (Worth Co.)	WW	10,000
Broin & Assoc., Inc.; Iowa Ethanol, LLC (Worth Co.)	WS/WW	10,000
Broin & Assoc., Inc.; Otter Creek Ethanol (Osceola Co.)	WW	10,000
Iowa Falls, City of	WW	10,000
LeMars, City of	WW	9,000
Alton, City of	FP	5,000
# Jansma Cattle Co., Inc. (Lyon Co.)	AFO	10,000
# Phillip Renze; Doug Renze (Sac Co.)	AFO	2,000
# Michael Veenstra; Allan Veenstra (Mahaska Co.)	AFO	5,000
Gary Hart (Clinton)	AQ/SW	4,250
Cedar Rapids, City of	WW	5,000
# Mike Elsbernd (Winneshiek Co.)	AFO	3,000
# Ted T. Smith (Buena Vista Co.)	AFO	3,000
S. J. Louis Construction, Inc. (Pleasant Hill)	WW	5,000
Monty Branstad (Winnebago Co.)	AQ/SW	8,000
Honey Creek Campground (Pottawattamie Co.)	WW	1,000
# Phillip Renze; Doug Renze (Sac Co.)	AFO	2,000
Peeters Development Co.; Mt. Joy MHP (Scott Co.)	WW	10,000
Randy Griffin (Jasper Co.)	AQ/SW	5,000
Hoover Land Corp.; River Road Golf Club (Algona)	WS	1,375
Dirk Graves (Glenwood)	AQ	1,000
Ruby Field, Inc.; Ed Grafke (Sigourney)	UT	5,112
# Ted Dickey dba Dickey Farms (Muscatine Co.)	AQ/SW/AFO	8,000
Iowa Quality Beef Supply Cooperative (Tama)	WW	10,000
# Scott Lenz (Carroll Co.)	AFO	8,000
Edward Branstad; Jordan Branstad (Winnebago Co.)	AQ/SW	8,000
Bruce Piper; Piper Motor Company, Inc. (Bloomfield)	AQ/WW	10,000
<b>TOTAL</b>		<b>271,737</b>

The following administrative penalties have been collected:

NAME/LOCATION	PROGRAM	AMOUNT
* Crestview Mobile Home Park (Ames)	WW	250
* <b>Midway Water &amp; Lighting Co., Inc. (Marion)</b>	WS	100
# Mike Coady; Silver Lake Finishing (Kossuth Co.)	AFO	4,000
# Garrelts Livestock Feeders; David Garrelts (Palo Alto)	AFO	3,000
Brian Salmon; Mid-States Asbestos Removal (Spirit Lake)	AQ	3,000
North Liberty, City of	WW	6,000
Independence, City of	AQ	8,000
* Country Terrace Mobile Home Park (Ames)	WW	110
* Tri Star Petroleum, LLC (Davenport)	UT	2,000
#*Harvey Driesen (Sioux Co.)	AFO	250

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* John Danker (Lee Co.)	AQ/SW	138
#*Michael and Karen Schieltz (Dubuque Co.)	AFO	361
Dyersville Implement (Dubuque Co.)	WW	7,500
Pleasant Hill, City of	WW	10,000
#*Dennis VanDerWeide (Sioux Co.)	AFO	500
# Travis Aldag (Ida Co.)	AFO	3,855
Beck Oil Company of Iowa, LC (Ft. Madison)	UT	6,759
Harvey Products, Inc. (Harvey)	AQ	5,000
* <b>Midway Water &amp; Lighting Co., Inc. (Marion)</b>	WS	100
* Waddell's Metal Recycling (Blue Grass)	AQ	250
#*John Kauffman (Iowa City)	AFO	208
Brian Salmon; Mid-States Asbestos Removal (Spirit Lake)	AQ	3,000
# Rahn Eischeid (Carroll)	AFO	2,500
# T. Patrick and Laurie Cashman (Deep River)	AFO	375
* Crestview Mobile Home Park (Ames)	WW	250
# Mike Rausch; Justin Rausch (O'Brien Co.)	AFO	3,000
# Griebel Enterprises; Baker 36 (O'Brien Co.)	AFO	3,000
# Griebel Enterprises; Dale 20 (O'Brien Co.)	AFO	3,000
#*E & N Farms, Ltd. (Lyon Co.)	AFO	300
	<b>TOTAL</b>	<b>76,806</b>

\*Payment Schedule

#Animal Feeding Operation

**BOLD Entries Have Been Referred to DRF**

# Iowa Department of Natural Resources

## Environmental Services Division

### Report of Hazardous Condition

During the period March 1, 2007, through March 31, 2007, 66 reports of hazardous conditions were forwarded to the central office. A general summary and count by field office is presented below. This does not include releases from underground storage tanks, which are reported separately.

Month	Total Incidents	Substance					Mode			
		Agri-chemical	Petroleum Products	Other Chemicals	Transport	Fixed Facility	Pipeline	Railroad	Fire	Other*
October	52 (48)	5 (6)	34 (29)	12 (13)	14 (13)	29 (28)	0 (0)	3 (2)	2 (1)	4 (4)
November	60 (55)	13 (10)	30 (35)	17 (10)	19 (16)	27 (28)	2 (0)	4 (3)	1 (1)	7 (7)
December	27 (51)	3 (5)	19 (32)	5 (14)	5 (18)	17 (29)	0 (2)	2 (1)	0 (0)	3 (1)
January	36 (62)	4 (4)	20 (35)	12 (23)	10 (18)	19 (32)	3 (0)	1 (1)	0 (0)	3 (11)
February	50 (49)	6 (2)	38 (36)	6 (11)	7 (10)	35 (35)	1 (1)	3 (2)	0 (0)	4 (1)
March	66 (54)	3 (2)	50 (40)	13 (12)	18 (16)	41 (29)	0 (2)	0 (2)	0 (0)	7 (5)
April	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
May	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
June	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
July	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>Total</b>	291 (319)	34 (29)	191 (207)	65 (83)	73 (91)	168 (181)	6 (5)	13 (11)	3 (2)	28 (29)

(numbers in parentheses for same period last year)

\*Other includes dumping, theft, vandalism and unknown

Total Number of Incidents Per Field This Month:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
10	14	6	7	17	12

# Iowa Department of Natural Resources

## Environmental Services Division

### Report of Manure Releases

During the period March 1, 2007, through March 31, 2007, 7 reports of manure releases were forwarded to the central office. A general summary and count by field office is presented below.

Month	Total Incidents	Feedlot	Confinement	Land Application	Transport	Hog	Cattle	Fowl	Other	Surface Water Impacts
October	12 (13)	0 (1)	9 (2)	0 (1)	3 (9)	9 (12)	0 (1)	3 (0)	0 (0)	1 (1)
November	10 (8)	0 (0)	2 (1)	3 (3)	5 (4)	8 (6)	1 (2)	1 (0)	0 (0)	1 (1)
December	5 (2)	0 (0)	5 (1)	0 (0)	0 (1)	4 (0)	1 (2)	0 (0)	0 (0)	1 (0)
January	4 (3)	0 (0)	3 (2)	1 (1)	0 (0)	4 (1)	0 (2)	0 (0)	0 (0)	0 (0)
February	4 (2)	0 (0)	2 (1)	0 (0)	2 (1)	3 (1)	1 (1)	0 (0)	0 (0)	1 (0)
March	7 (2)	0 (1)	6 (1)	0 (0)	0 (0)	6 (0)	0 (2)	0 (0)	0 (0)	2 (2)
April	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
May	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
June	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
July	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
August	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
September	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)	0 (0)
<b>Total</b>	42 (30)	0 (2)	27 (8)	4 (5)	10 (15)	34 (20)	3 (10)	4 (0)	0 (0)	6 (4)

(numbers in parentheses for the same period last year)

Total Number of Incidents Per Field Office this Month:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
0	1	1	2	3	0

IOWA DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
RULEMAKING STATUS REPORT  
May, 2007

PROPOSAL	NOTICE TO COMMISSION	NOTICE PUBLISHED	ARC #	RULES REVIEW COMMITTEE	HEARING	PERIOD	COMMENT COMMISSION	FINAL SUMMARY TO ADOPTED	RULES PUBLISHED	RULES ARC #	COMMITTEE	RULES REVIEW EFFECTIVE	RULE
1. Ch. 7 – Contested Case Rules	5/01/07	*5/23/07		*6/04/07			*6/12/07	*7/03/07	*7/03/07	*8/01/07		9/03/07	*9/05/07
2. Ch. 22 – Air Construction Permit Exemptions	1/02/07	1/31/07	5694B	2/06/07	3/05/07		3/09/07	5/01/07	*5/01/07	*5/23/07		*6/04/07	*6/27/07
3. Ch. 22 – Special Requirements for Visibility Protection	1/02/07	1/31/07	5695B	2/06/07	3/02/07		3/05/07	5/01/07	*5/01/07	*5/23/07		*6/04/07	*6/27/07
4. Ch. 40, 43 – Minor Water Main Construction Permit	3/06/07	3/28/07	5795B	4/03/07	4/19/07		4/20/07	*6/05/07	*6/05/07	*7/04/07		*8/06/07	*8/08/07
5. Ch. 61 – WQS Section 401 Certification of Section 404 NWP's	11/14/06	12/06/06	5598B	1/03/07	12/26/06		12/26/06	4/03/07	4/03/07	*4/25/07		*5/07/07	*5/30/07
6. Ch. 61 – WQS – Chemical Criteria Revisions	5/01/07	*5/23/07		*6/04/07	6/14, 19, 21 and 26/07		*7/10/07	*8/06/07	*8/06/07	*8/29/07		*9/05/07	*10/03/07
7. Ch. 64 – Sewer Extension Construction Permit Provisions	12/05/06	1/03/06	5638B	2/06/07	1/24/07		1/26/06	3/06/07	3/06/07	3/28/07	5793B	*5/07/07	*5/30/07
8. Ch. 64 – Wastewater Construction and Operation Permits	2/06/07	2/28/06	5753B	4/03/07	3/30/07		3/30/07	*6/05/07	*6/05/07	*7/04/07		*8/06/07	*8/08/07
9. Ch. 67 – Updates and Revisions	12/05/06	1/03/06	5636B	2/06/07	1/24/07		1/26/07	3/06/07	3/06/07	3/28/07	5792B	4/03/07	4/04/07
10. Ch. 81 – Op. Cert. – Public Water Supply Systems and WW Treatment Systems	12/05/06	1/03/06	5630B	2/06/07	1/24/07		1/26/07	3/06/07	3/06/07	3/28/06	5794B	4/03/07	4/04/07
11. Ch. 93 – Nonpoint Source Pollution Control Set-Aside Program	5/01/07	*5/23/07		*6/04/07	*6/14/07		*6/21/07	*8/06/07	*8/06/07	*8/29/07		*9/05/07	*10/03/07
12. Ch. 103-106, 112, 114, 115, 118, 120-123 – Financial Assurance Regulations	12/05/06	1/03/06	5633B	2/06/07	3/28/07		3/28/07	*6/05/07	*6/05/07	*7/04/07		*8/06/07	*8/08/07
13. Ch. 113 – Sanitary Landfills for Municipal SW: Groundwater Protection Systems for the Disposal of Non-Hazardous Wastes	11/14/06	12/06/06	5597B	1/03/07	1/22,24 and 26/07		1/26/07	*6/05/07	*6/05/07	*7/04/07		*8/06/07	*8/08/07

\* Projected

**DATE:** May 1, 2007

**TO:** EPC

**FROM:** Ed Tormey

**RE:** Enforcement Report Update

The following new enforcement actions were taken during this reporting period:

Name, Location and Field Office Number Date	Program	Alleged Violation	Action	
Feinberg Metals Recycling, Ft. Madison (6)	Solid Waste Wastewater	Operation Without Permit; Illegal Disposal; Stormwater – Operation Without Permit	Referred to AG	3/06/07
Country Stores of Carroll; LeMars Country Store, LeMars (3)	Underground Tanks	Leak Detection; Record Keeping	Referred to AG	3/06/07
Goose Lake, City of (1)	Drinking Water	Construction Without Permit	Consent Amendment \$500	3/15/07
Craig Burns, Clayton Co. (1)	Wastewater	Monitoring/Reporting	Consent Order \$4,000	3/15/07
Lawler, City of (1)	Wastewater	Compliance Schedule; Operational Violations	Consent Amendment \$11,900 SEP	3/15/07
North Liberty, City of (6)	Wastewater	Operational Violations	Consent Order \$6,000	3/16/07
Edward Branstad and Monroe “Monty” Branstad, Winnebago Co. (1)	Air Quality	Open Burning	Consent Order \$4,500	3/16/07
Todd Kay, Buena Vista Co. (3)	Animal Feeding Operation	Failure to Submit Plan	Consent Order \$3,000	3/16/07
Southern Waste Handling, Mt. Ayr (4)	Animal Feeding Operation	Prohibited Discharge – Confinement; Failure to Report a Release; Water Quality Violations – General Criteria	Consent Amendment \$5,000	3/17/07
Claussen Family Farm, Scott Co. (6)	Animal Feeding Operation	Prohibited Discharge – Open Feedlot; Water Quality Violations – General Criteria	Consent Order \$4,000	3/26/07
Harvey Products, Inc., Harvey (5)	Air Quality	Construction Without Permit	Consent Amendment \$5,000	3/26/07
Shenandoah, City of	Wastewater	Compliance Schedule; Discharge Limits	Consent Amendment SEP	3/26/07

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Beck Oil Co. of Iowa, Ft. Madison (6)	Underground Tank	UST System Deficiencies	Consent Order \$6,759	3/26/07
Dyersville Implement, Dubuque Co. (1)	Wastewater	Prohibited Discharge	Consent Order \$7,500	3/26/07
Garrelts Livestock Feeders, Palo Alto Co. (3)	Animal Feeding Operation	Failure to Submit Plan	Consent Order \$3,000	4/2/07
West Central Cooperative, Carroll Co. (4)	Wastewater	Operational Violations	Consent Amendment \$5,000 SEP	4/2/07
Dennis Sharkey, Dubuque Co. (1)	Solid Waste	Illegal Disposal	Referred to AG	4/3/07
Clifford Yentes, Council Bluffs (4)	Air Quality Solid Waste	Open Burning; Illegal Disposal	Referred to AG	4/3/07
River Bluff Resort, LLC; C.J. Moyna & Sons, Inc.; P.A. McGuire Construction, McGregor (1)	Wastewater	Water Quality Violations – General Criteria; Stormwater – Pollution Prevention Plan Violations	Referred to AG	4/3/07

Name, Location and  
Field Office Number

Program

Alleged Violation

Action

Date

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**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
CONTESTED CASES  
May, 2007**

<b>DATE RECEIVED</b>	<b>NAME OF CASE</b>	<b>F.O.</b>	<b>ACTION APPEALED</b>	<b>PROGRAM</b>	<b>ASSIGNED TO</b>	<b>STATUS</b>
4/26/99	Gerald and Judith Vens	6	Order/Penalty	FP	Clark	<b>4/09/07 – Internal meeting with DNR management set for 4/12/07.</b>
12/01/99 12/08/99	Iowa Select Farms, L.P./AG Waste Consultants, Inc.	2	Order/Penalty	AFO	Clark	<b>4/10/07 – ISF and Dept. attorneys unsuccessful attempt to contact AG Wastes Consultants attorney.</b>
7/13/00	Dan Witt	6	Order/Penalty	AFO	Clark	1/10/07 – FO6 staff visited the site to determine the current status and observed that the AFO portion of the farm operations has been closed.
10/02/01	Daryl Larson	6	Order	AFO	Clark	Negotiating before filing.
11/27/01	Dallas County Care Facility	5	Order/Penalty	WW	Hansen	10/03 – Letter to County attorney regarding appeal resolution. 1/04 – Letter to attorney regarding appeal. 4/04 – Dept. letter to attorney regarding appeal. 9/04 – Dept. letter to attorney regarding appeal.
1/23/02	Clearview Mobile Home Park	6	Permit Conditions	WW	Hansen	10/31/02 – Construction permit issued for improvement to lagoon system. 10/31/03 – Update on construction project requested from Dept. engineer. 1/30/04 – Status report requested from Dept. staff. 2/24/04 – Letter sent to attorney regarding resolving appeal. 3/15/04 – Letter from facility attorney regarding proposed upgrade with sand filters. 4/26/04 – Dept. letter to MHP attorney requesting construction schedule for project. 5/17/04 – Letter from MHP attorney with new schedule. 10/18/06 – Letter to attorney regarding schedule for resolving appeal. 10/06 – Letter to MHP attorney regarding resolution of appeal. 11/06 – Letter from MHP attorney regarding projects on hold due to revisions in WQ standards rules.
7/18/02	Mt. Pleasant, City of	6	Order/Penalty	WW	Hansen	\$500 penalty payment received for uncontested portion. 12/03 – Dept. letter with settlement offer. 1/30/04 – Dept. letter sent regarding settlement. 2/24/04 & 3/31/04 – Follow-up letters sent regarding settlement. 4/26/04 – Letter received from City attorney regarding Dept. settlement proposal.
7/23/02	Doug Wedemeyer	4	Order/Penalty	AFO	Clark*	<b>4/4/07 – FO4 provides status update.</b>

\* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
CONTESTED CASES  
May, 2007**

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
8/25/02	Kenneth Dahlhauser	2	Order/Penalty	AFO	Clark	1/4/07 - An offer to settle was sent to Mr. Dahlhauser's attorney. This letter gave Mr. Dahlhauser until 1/26/07 to contact Carrie Schoenebaum with regard to the settlement. Attorney called and asked for extended time to review. She will call back.
11/27/02	Chelsea, City of	5	Order/Penalty	WW	Hansen*	<b>9/18/03 – DNR letter. Will monitor for compliance through winter of 2004. 4/07 – FO5 to conduct compliance inspection.</b>
2/10/03	Doug Osweiler	6	Order/Penalty	AFO	Clark	Negotiating before filing.
2/24/03	Ray Slach	6	Order/Penalty	AFO	Clark	4/29/04 – Settlement invitation letter sent.
4/04/03	Natural Pork Production II, LLP (03-AFO-13)	6	Order/Penalty	AFO	Clark*	<b>3/10/07 – Attorney for NPPII responds to DNR's inquiry, indicating that he will get with client and then back with DNR in next week. 4/10/07 – Clark leaves message for NPPII attorney, asking for status update.</b>
4/25/03	Ag Processing Inc.	2	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
8/12/03	Southern Waste Handling, Inc.	5	Order/Penalty	AFO	Clark	<b>3/17/07 – Consent Amendment to Order issued. Awaiting penalty payment.</b>
8/29/03	Country Living Mobile Home Park	5	Order/Penalty	WW	Hansen	6/23/04 – Construction permit issued. Settlement offer will be made. 9/04 – Status report from Dept. engineer requested regarding project construction status. 10/05 – Status report requested from Dept. engineer. 11/05 – Facility upgrade completed. New NPDES permit requested for upgraded facility. 12/16/05 – Settlement offer received from MHP attorney.
9/05/03	Strawberry Point, City of	1	Order/Penalty	WW	Hansen*	<b>1/5/04 – City to upgrade facilities, compliance will be monitored through 2005. 4/07 – Letter to City regarding appeal.</b>
10/08/03	TEGH, Inc. (03-UT-15)	6	Order/Penalty	UT	Wornson	TEGH, Inc. no longer operator; questionable as a viable corporation. Review options.

\* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
CONTESTED CASES  
May, 2007**

DATE RECEIVED	NAME OF CASE	F.O.	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
10/27/03	B & H Food & Gas, Inc. (03-UT-12)	6	Order/Penalty	UT	Wornson	B & H no longer operator; questionable as a viable corporation. Review options.
10/27/03	U.S. Nation Mart, Inc. (03-UT-14)	6	Order/Penalty	UT	Wornson	Proposed consent order drafted.
12/02/03	Jeff Holland	2	Order/Penalty	AFO	Clark	Negotiating before filing.
12/15/03	AGP (Emmetsburg)	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
12/29/03	T. Patrick Cashman; Laurie Cashman	5	Order/Penalty	AFO	Clark	<b>Consent amendment to Order issued 3/07/07.</b>
1/21/04	Bob Kerrigan	4	Order/Penalty	AFO	Clark	Negotiating before filing.
1/30/04	John Schmall d/b/a Carpenter Bar & Grill	2	Order/Penalty	WS	Hansen	2/26/04 – Letter to WS attorney regarding resolving appeal. 9/04 – Per WS section, facility has returned to compliance. 11/06 – Facility building burned down, facility closed.
2/09/04	Swine USA, LP	5	Order/Penalty	AFO	Clark	2/2/07 – Draft Consent Order sent to attorney for new owner.
2/16/04	Iowa Ethanol, LLC; Reilly Construction Co., Inc.	2	Order/Penalty	WW	Clark*	Meeting held 4/07/04.
2/17/04	Broin & Assoc., Inc. aka Otter Creek Ethanol, LLC	3	Order/Penalty	WW	Clark*	Meeting held 4/07/04.
2/17/04	Broin & Assoc., Inc. aka Iowa Ethanol, LLC	2	Order/Penalty	WS/WW	Clark*	Meeting held 4/07/04.
2/18/04	Gettler Dairy, Inc.; Dave and Kristen Gettler	4	Order/Penalty	AFO	Clark	<b>4/4/07 – FO4 agrees to perform a site visit to verify remedial work.</b>
3/15/04	Iowa Falls, City of	2	Order/Penalty	WW	Hansen	<b>6/04 – Dept. letter to City attorney regarding settlement. 8/06 – Letter from City attorney regarding resolving appeal. 10/06 – Letter to City attorney regarding settlement and setting case for hearing. 11/06 – Response received from City attorney concerning SEP proposal. 1/07 – Settlement proposal (SEP) received from City attorney; under review by Dept. staff. 3/07 – Settled. City to pay penalty of \$2,500 and perform SEP in an amount of \$10,250. 3/26/07 – Draft consent order sent to City attorney on 3/26/07. 4/2/07 – Consent order signed by City.</b>

\* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
CONTESTED CASES  
May, 2007**

<b>DATE RECEIVED</b>	<b>NAME OF CASE</b>	<b>F.O.</b>	<b>ACTION APPEALED</b>	<b>PROGRAM</b>	<b>ASSIGNED TO</b>	<b>STATUS</b>
4/02/04	LeMars, City of	3	Order/Penalty	WW	Hansen	4/02/04 – Meeting held to discuss settlement. 1/05 – Tentative agreement reached on settlement.
4/08/04	Silver Creek Feeders	4	Permit Conditions	AFO	Clark	Negotiating before filing.
4/16/04	Ag Processing Inc. (Sheldon)	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
5/12/04	Ag Processing, Inc.	3	Permit Conditions	AQ	Preziosi	Continuing to negotiate.
5/18/04	Alton, City of	3	Order/Penalty	FP	Clark	<b>3/15/07: Attorney for Alton returned Dept. phone call and agreed to check with client regarding settlement offer.</b>
5/25/04	CDI, LLC	6	Permit Conditions	AQ	Preziosi	<b>ALJ Proposed Decision issued 12/29/06 and appealed. Appeal will be addressed at April 2007 EPC meeting.</b>
5/27/04	CDI – Charles City	2	Permit Conditions	AQ	Preziosi	<b>ALJ Proposed Decision issued 12/29/06 and appealed. Appeal will be addressed at April 2007 EPC meeting.</b>
6/11/04	University of Iowa	6	NPDES Permit	WW	Hansen	Negotiating before filing.
6/18/04	CDI – Charles City	2	Title V Permit Determination	AQ	Preziosi	<b>ALJ Proposed Decision issued 12/29/06 and appealed. Appeal will be addressed at April 2007 EPC meeting.</b>
6/18/04	Phillip Renze	3	Order/Penalty	AFO	Clark	<b>3/22/07 – Dept. sends draft consent amendment to Renze's attorney.</b>
6/24/04	Jansma Cattle Co., Inc.	3	Order/Penalty	AFO	Tack*	Primary RP died. Current operation received construction permit on 11/06/06. Will be settled when construction is completed.
6/28/04	Michael Veenstra; Alan Veenstra	5	Order/Penalty	AFO	Clark	Negotiating before filing.
10/12/04	Gary Hart	6	Order/Penalty	AQ/SW	Tack	Hearing set for 1/19/07. Hearing continued to May 25, 2007.
<b>10/13/04</b>	<b>Charlie Van Meter; Van Meter Feedyard</b>	<b>5</b>	<b>Permit Conditions</b>	<b>WW</b>	<b>Clark</b>	<b>1/23/07 – Appeal withdrawn. Case closed.</b>
10/19/04	Cedar Rapids, City of	1	Order/Penalty	WW	Hansen*	To be set for hearing.

\* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
CONTESTED CASES  
May, 2007**

<b>DATE RECEIVED</b>	<b>NAME OF CASE</b>	<b>F.O.</b>	<b>ACTION APPEALED</b>	<b>PROGRAM</b>	<b>ASSIGNED TO</b>	<b>STATUS</b>
10/21/04	Eugene Kramer	1	Permit Denial	WR	Clark	3/6/07 – Dept. discusses case with attorney for deceased Mr. Kramer. Potential lawsuit against Kramer can still be filed until 4/6/07, so unwilling to withdraw contested case until that is known. 4/10/07 – Clark leaves message for Kramer’s attorney, asking for status update.
11/02/04	Mike Elsbernd	1	Order/Penalty	AFO	Book	Order and penalty affirmed. Inability to pay claim being evaluated by Department.
11/10/04	Ted T. Smith	3	Order/Penalty	AFO	Clark	Negotiating before filing.
1/05/05	S.J. Louis Construction	5	Order/Penalty	WW	Hansen	To be set for hearing. 5/31/06 – Letter regarding appeal sent to company. Follow-up letter to be sent. 10/06 – Letter to company regarding scheduling appeal for hearing. Hearing set for 4/06/07. 3/9/07 – Motion for default filed since no petition filed. ALJ order issued 3/20/07 granting default and dismissing appeal. Case closed.
1/20/05	Pleasant Hill, City of	5	Order/Penalty	WW	Hansen	4/08/05 – Meeting with City regarding appeal and settlement. City made settlement offer regarding penalty. Offer rejected by DNR. City to provide further response by 5/05. No response received. To be set for hearing. 5/31/06 – Letter to City Attorney regarding appeal. Letter received from City Attorney regarding appeal. 10/06 – Dept. letter to City attorney regarding appeal and scheduling of hearing. 1/07 – Sent to DIA. Hearing set for 4/05/07. Full \$10,000 penalty assessed in AO paid. Motion for dismissal of appeal filed with ALJ. ALJ issued dismissal order. Case closed.
1/20/05	Monty Branstad	2	Order/Penalty	AQ/SW	Preziosi	Settled. Awaiting penalty payment.
1/24/05	Lawler, City of	4	Order/Penalty	WW	Hansen	10/06 – Letter to City about resolving appeal. 12/06 – City council approved SEP proposal to be sent to Dept. 1/07 – SEP proposal received from City. Resolved with SEP project. 2/06 – Dept. letter to City accepting SEP proposal. Consent order enclosed for City to sign. 3/07 – Consent order issued. SEP to be performed. Case closed.

\* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
CONTESTED CASES  
May, 2007**

<b>DATE RECEIVED</b>	<b>NAME OF CASE</b>	<b>F.O.</b>	<b>ACTION APPEALED</b>	<b>PROGRAM</b>	<b>ASSIGNED TO</b>	<b>STATUS</b>
2/04/05	Honey Creek Campground	4	Order/Penalty	WW	Hansen	12/07/05 – Telephone call with Honey Creek attorney regarding hearing and compliance issues. 3/22/06 – Meeting at FO 4 with wastewater owner and attorney. 4/5/06 – FO4 inspection of campground. 5/12/06 – FO letter to facility regarding inspection. 5/22/06 – Letter received from Honey Creek attorney requesting waiver of penalty in view of inspection. Letter to Honey Creek attorney rejecting request to waive penalty. 4/07 – Letter to Honey Creek regarding penalty and setting for hearing.
2/17/05	CDI, LLC	2	Permit Conditions	AQ	Preziosi	ALJ Proposed Decision issued 12/29/06 and appealed. Appeal will be addressed at April 2007 EPC meeting.
2/24/05	Mt. Joy Mobile Home Park	1	Order/Penalty	WW	Hansen	10/06 – Letter to MHP regarding settlement of appeal. 11/06 – Information received from MHP owner regarding MORs and certified operator. 4/07 – Letter to MHP regarding appeal and setting for hearing.
3/08/05	Randy Griffin	5	Order/Penalty	AQ/SW	Tack	Settled. Revised consent order sent 1/22/07.
3/25/05	Hoover Land Corp.	2	Order/Penalty	WS	Hansen	Negotiating before filing.
4/04/05	Ruby Field; Ed Grafke	6	Order/Penalty	UT	Wornson	No progress, set for hearing.
4/05/05	Dirk D. Graves	4	Order/Penalty	AQ	Tack	<b>Hearing set for 5/22/07.</b>
5/25/05	Iowa Quality Beef Cooperative	5	Order/Penalty	WW	Hansen	6/26/06 – FO meeting with company officials to discuss reopening of plant. 7/12/06 – FO inspection of plant. 10/06 – To be set for hearing.
8/05/05	Scott Lenz	4	Order/Penalty	AFO	Book	<b>Producer submitted offer, Department reviewing offer</b>
11/21/05	CDI, LLC	2	Construction Permit	AQ	Preziosi	ALJ Proposed Decision issued 12/29-06 and appealed. Appeal will be addressed at April 2007 EPC meeting.
2/27/06	Greig & Co., Inc.	3	NPDES Permit	WW	Clark	Negotiating before filing.

\* These cases were previously assigned to Mike Murphy.

**DEPARTMENT OF NATURAL RESOURCES  
ENVIRONMENTAL PROTECTION COMMISSION  
CONTESTED CASES  
May, 2007**

<b>DATE RECEIVED</b>	<b>NAME OF CASE</b>	<b>F.O.</b>	<b>ACTION APPEALED</b>	<b>PROGRAM</b>	<b>ASSIGNED TO</b>	<b>STATUS</b>
3/28/06	Jordan Branstad; Edward Branstad	2	Order/Penalty	AQ/SW	Preziosi	<b>Settled. Awaiting penalty payment.</b>
4/10/06	Praxair, Inc.		Permit Conditions	AQ	Preziosi	Negotiating.
7/07/06	Washington County (Permittee: Riverside Casino)	6	Water Use Permit	WR	Clark	Negotiating before filing.
8/09/06	Cargill (Eddyville)	5	Permit Conditions	AQ	Preziosi	Waiting to hear from Cargill engineer. Meeting will be set with technical staff.
8/28/06	Winnebago Industries, Inc.	2	Title V Permit	AQ	Preziosi	<b>ALJ Proposed Decision issued 12/29/06 and appealed. Appeal will be addressed at April 2007 EPC meeting.</b>
10/06/06	Ted Dickey dba Dickey Farms	6	Order/Penalty	AQ/SW/ AFO	Book	<b>Meeting to be held April 2007</b>
<b>10/26/06</b>	<b>XEthanol Biofuels, LLC</b>	<b>1</b>	<b>Permit Conditions</b>	<b>AQ</b>	<b>Preziosi</b>	<b>Settled. Case closed.</b>
12/27/06	Piper Motor Co. Inc.	6	Order/Penalty	AQ/WW	Tack	<b>Reviewing discovery responses.</b>
1/08/07	Cargill (Eddyville) 02-A-393-S3, 02-A-394-S2, 02-A-395-S2, 02- 396-S3, 05-A-930, 05-A-931	5	Permit Conditions	AQ	Preziosi	Negotiating before filing.
10/13/04	Charlie Van Meter; Van Meter Feedyard	5	Permit Conditions	WW	Clark	Negotiating before filing.
1/11/07	Clow Valve Company (20 Permits)	5	Permit Conditions	AQ	Preziosi	Negotiating before filing.

\* These cases were previously assigned to Mike Murphy.

**Iowa Department of Natural Resources  
Environmental Services  
Report of WW By-passes**

During the period March 1, 2007 through March 31, 2007, 14 reports of wastewater by-passes were received. A general summary and count by field office is presented below. This does not include by-passes resulting from precipitation events.

<b>Month</b>	<b>Total</b>	<b>Avg. Length (days)</b>	<b>Avg. Volume (MGD)</b>	<b>Sampling Required</b>	<b>Fish Kill</b>
October '06	3(11)	0.427	0.055	1	0(0)
November '06	3(7)	0.063	0.033	2	0(0)
December '06	11(7)	0.862	0.016	1	0(0)
January '07	7(10)	0.213	0.004	1	0(0)
February '07	34(6)	0.386	0.070	6	0(0)
March '07	14(12)	0.162	0.011	3	0(0)
April '06	12(14)	0.073	0.134	2	0(0)
May '06	11(18)	0.135	0.004	3	0(0)
June '06	9(7)	0.342	0.076	5	0(0)
July '06	9(5)	0.078	0.003	2	0(0)
August '06	15(13)	0.196	0.023	8	0(0)
September '06	9(3)	0.285	0.024	0	0(0)

(numbers in parentheses for same period last year)

Total Number of Incidents Per Field Office This Period:

<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
4	0	1	0	1	8



# Environmental Services Division Variance Report

4/17/2007

<b>Monthly Variance Report</b> March 2007						
Item No.	Facility/City	Program	DNR Reviewer	Subject	Decision	Date
1	Kinze Manufacturing	Air Quality	Kyle Ament	Diesel Genertors Operating Hours	Approved	3/1/2007
2	City Of Hills	Waste Water	Satya Chennupati	Directional Boring	Approved	3/1/2007
3	City Of Ames	Air Quality	Bryan Bunton	Burn Waste Solution	Approved	3/5/2007
4	MidAmerican Energy - Dewar Substation	Air Quality	Dennis Thielen	Portable Diesel Generator	Approved	3/12/2007
5	MidAmerican Energy- George Neal North	Air Quality	Kyle Ament	Burn Coal Additive	Approved	3/12/2007
6	City of West Des Moines	Flood Plains	Jeff Simmons	Freeboard	Approved	3/13/2007
7	City of Dickens	Waste Water	Satya Chennupati	Two-cell Lagoon, Influent Lines	Approved	3/19/2007
8	Siouxland Energy & Livestock Cooperative	Air Quality	Bryan Bunton	Construction Date	Denied	3/19/2007